

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Ronald Potter,)	C/A No.: 0:10-417-JFA-PJG
)	
Plaintiff,)	
v.)	ORDER
)	
Counselor James Johnson; Hector Lopez;)	
Arunava Saha; Donardo Fonte; MLP G. Link;)	
Shella Stephens; United States of America,)	
)	
Defendants.)	
_____)	

The *pro se* plaintiff, Ronald Potter, brings this action pursuant to 42 U.S.C. § 1983 alleging that the defendants did not provide him with proper medical treatment while he was an inmate at the Federal Correctional Institution in Edgefield, South Carolina.

The Magistrate Judge assigned to this action¹ has prepared a thorough Report and Recommendation and opines that this action should be dismissed for lack of prosecution under Rule 41(b) of the Federal Rules of Civil Procedure. The plaintiff has failed to respond to the defendants' motion for summary judgment² or the court's order allowing him additional time to respond to the motion. The Report sets forth in detail the relevant facts

¹ The Magistrate Judge's review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02. The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court. *Mathews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a *de novo* determination of those portions of the Report and Recommendation to which specific objection is made, and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b)(1).

² An order was issued pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975) notifying plaintiff of the summary dismissal procedure and possible consequences if he failed to adequately respond to the motion for summary judgment. Plaintiff did not respond to the motion.

and standards of law on this matter, and the court incorporates such without a recitation.

The plaintiff was advised of his right to file objections to the Report and Recommendation, which was entered on the docket on December 29, 2010. However, the plaintiff failed to file objections. In the absence of specific objections to the Report of the Magistrate Judge, this court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

After carefully reviewing the applicable laws, the record in this case, and the Report and Recommendation, this court finds the Magistrate Judge's recommendation fairly and accurately summarizes the facts and applies the correct principles of law. The Report is incorporated herein by reference.

Accordingly, this action is dismissed with prejudice for lack of prosecution. The Clerk is directed to terminate the defendants' motion for summary judgment.

IT IS SO ORDERED.

February 24, 2011
Columbia, South Carolina

A handwritten signature in black ink, reading "Joseph F. Anderson, Jr." in a cursive script.

Joseph F. Anderson, Jr.
United States District Judge